



City of Haverhill
City Council Minutes
Tuesday, June 18, 2019
Theodore A. Pelosi, Jr. Council Chambers, Room 202
4 Summer Street

Present – President Michitson, Councillors Sullivan, Bevilacqua, Barrett, LePage, Jordan, Macek, Daly O’Brien, and McGonagle.
City Clerk – Linda L. Koutoulas

1. Opening Prayer
2. Pledge of Allegiance
3. Approval of Minutes of Prior Meeting
The minutes of the June 4 and Special City Council meeting June 11 were approved Yeas 9, Nays 0
4. Assignment of the minutes review for the next Meeting
Councillor Jordan was assigned the minutes
5. Communications from the Mayor:
6. Communications and Reports from City Officers and Employees:
7. Utility Hearing(s) and Related Order(s)
Petition from National Grid & Verizon New England - pole location relocating existing pole 4 Crosby st approximately 20 feet Northerly away from driveway of customer at 23 Crosby st; Plan 28106688
HEARING SCHEDULED FOR JULY 23 2019 Yeas 9, Nays 0 74

Items 9 thru 15 were discussed prior to Doc. 55-D

8. Hearings and Related Orders

Document 55-D LME 19-3

Petition from Caroline Pineau, Director of Haverhill Stem LLC, requesting Special Permit under Chapter 255, Article XIX LME 19-3; Retail Sales Only; to operate an Adult Use Marijuana Establishment at 124 Washington st; *Related communication from Attorney Thomas K MacMillan*

Councilor McGonagle recused himself and left the Chambers.

President Michitson opened the hearing. A stenographer was retained by the City to take verbatim minutes incorporated herein. Attorney Thomas MacMillan spoke on behalf of his client and introduced Caroline Pineau. Ms. Pineau addressed the council. Those speaking in favor were Phil Rice, Nick Golden, Dougan Sherwood, Graciella Trilla and Elaine Barker. Those speaking against were Attorney Scott Schlager, Lloyd Jennings, Brad Brooks, Dr. Alexander Matolcsy and Stavros Dimakis.

ON MOTION OF COUNCIL SULLIVAN WITH SECOND BY COUNCILLOR BARRETT TO MOVE FOR PASSAGE.

ON MOTION OF COUNCILLOR MACEK WITH SECOND BY COUNCILLOR DALY O’BRIEN TO CONDITION THAT POLICE CHIEF, FIRE CHIEF AND ENGINEER WORK TOGETHER TO INCREASE OR ROLL BACK TO ORIGINAL NUMBER.

ON REVISED MOTION OF COUNCILLOR MACEK WITH SECOND BY COUNCILLOR DALY O’BRIEN TO CONDITION APPOINTMENT ONLY WITH START NUMBER AT 20 APPOINTMENTS ON-LINE PER HOUR FOR 3 DAYS THEN GET ASSESSEMENT BY POLICE CHIEF, FIRE CHIEF AND CITY ENGINEER TO INCREASE APPOINTMENTS IF THEY AGREE.

Yeas 7, Nays 1(Bevilacqua) Abstain 1

ON MOTION OF COUNCILLOR MACEK WITH SECOND BY COUNCILLOR DALY O’BRIEN TO CONDITION THAT THERE BE A POLICE APPROVED SECURED DELIVERY AND PARKING AREA. ALSO ON THE APPOINTMENT CONFIRMATION THE PARKING AREAS BE IDENTIFIED.

Yeas 8, Nays 0, Abstain 1

ON MOTION OF COUNCILLOR MACEK WITH SECOND BY COUNCILLOR DALY O’BRIEN TO MOVE AS AMENDED

Yeas 7, Nays 1(Bevilacqua) Abstain 1

PASSED AS AMENDED Yeas 7, Nays 1(Bevilacqua) Abstain 1 55-D LME 19-3

Public Participation- Requests under Council Rule 28

9. Appointments:

Confirming Appointments:

Cultural Council:

Angela Tita Antonopoulos, 29 Emily st; Appointment to expire Dec. 31, 2021
CONFIRMED Yeas 9, Nays 0 3E

Helen Sheehan, 23 Evergreen dr; Appointment to expire December 31 2021
CONFIRMED Yeas 9, Nays 0 3F

Non-Confirming Appointments:

Master Plan Committee

Ismael Matias, 253 Farrwood dr

PLACED ON FILE

Yeas 9, Nays 0

4K

Constables

James Thomas Ford, 40 Locke st Apt. 319; Appointment to expire May 1 2020
PLACED ON FILE Yeas 9, Nays 0 77

10. Petitions:

Petition from Attorney Russell S Channen representing Jonathan Cody, Manager of 20 Newcomb st, LLC; requesting Hearing for a Special Permit allowing 13 multi-family units in the RU Zone at 20 Newcomb st

REFERRED TO PLANNING BOARD
COUNCIL HEARING AUGUST 6 2019 Yeas 9, Nays 0 78

One Day Liquor License:

*Applications for Winnekenni Castle:

Michael Ingham for Winnekenni Foundation Inc, all alcohol at Social Event, Sunday, July 14; 12Noon to 6PM; License amended by License Commission to extend hours to 12 noon to 8 pm
GRANTED Yeas 9, Nays 0 6F

Patrick Houlihan, all alcohol at baby shower, Saturday, July 13; 2PM to 9PM
GRANTED Yeas 9, Nays 0 6G

Amy Viens , beer and wine for wedding; Sunday, September 29; 4PM to 11PM
GRANTED Yeas 9, Nays 0 6H

**All applications have Police and License Commission approval*

Annual License Renewals

Drainlayer License for 2019

Greg Gullage Jr. - new
GRANTED Yeas 9, Nays 0 10T

Pool Tables:

Kelly's Restaurant – renewal; 2 Pool Tables
GRANTED Yeas 9, Nays 0 60C

11. Motions and Orders:

City Engineer John Pettis III submits request for National Grid to open three locations - 31 South Merrill st, 103 Laurel av and 26 Chandler st for purpose of carrying out necessary gas work for new services as stated in the following Orders:

MR. RICARDO DEMELO SPOKE IN FAVOR OF 31 SO. MERRILL ST.
PLACED ON FILE Yeas 9, Nays 0 75

ORDERED: That the City Council approve the request of National Grid to excavate at 31 South Merrill Street for the purposes of necessary gas work for new services. South Merrill Street has been rebuilt within the last 5 years and in accordance with Chapter 222, Section 11, Notice to abutters; Restrictions on future paving of the 1981Municipal Ordinance. Council approval is necessary.

PASSED Yeas 9, Nays 0 75B

ORDERED: That the City Council approve the request of National Grid to excavate at 103 Laurel Avenue for the purposes of necessary gas work for new services. Laurel Avenue has been rebuilt within the last 5 years and in accordance with Chapter 222, Section 11, Notice to abutters; Restrictions on future paving of the 1981 Municipal Ordinance. Council approval is necessary.

PASSED Yeas 9, Nays 0 75C

ORDERED: That the City Council approve the request of National Grid to excavate at 26 Chandler Street for the purposes of necessary gas work for new services. Chandler Street has been rebuilt within the last 5 years and in accordance with Chapter 222, Section 11, Notice to abutters; Restrictions on future paving of the 1981 Municipal Ordinance. Council approval is necessary.

PASSED Yeas 9, Nays 0 75D

ORDERED: That in accordance with General Laws, Chapter 44, Section 64, authorize the payment of bills of the previous year and to further authorize the payment from current year departmental appropriations as listed:

<u>Vendor</u>	<u>Amount</u>	<u>Account</u>
Nutter, McClennen & Fish LLP(4)	\$15,093.00	Law Office

PASSED Yeas 9, Nays 0 32D

12. Ordinances (File 10 days)

MUNICIPAL ORDINANCE CHAPTER 240

An Ordinance Relating to Vehicles and Traffic

Be in Ordained by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240, as amended, be further amended by adding the following to § 240-98 Schedule P: Heavy Commercial Vehicles: *Related communication from City Engineer John Pettis III*

NAME OF STREET	LOCATION OF EXCLUSION	EXCLUSION TYPE	EXCLUSION TIMES
Old Ferry Road	From East Broadway to Orchard Avenue	All vehicles over 2 ½ tons	24 Hours 7 days

PLACED ON FILE for at least 10 days Yeas 9, Nays 0 76

13. Monthly Report

Preliminary Financial Reports for the month of April 2019 from City Auditor Charles Benevento
PLACED ON FILE Yeas 9, Nays 0 33H
Abatement report from Assessor Christine Webb, for month of May 2019
PLACED ON FILE Yeas 9, Nays 0 19F

14. RESOLUTIONS and PROCLAMATIONS

15. Communications from Councillors:

Communication was received from Council President Michitson requesting to introduce Haverhill Public Schools Physician Dr. John Maddox and Katie Vozeolas, RN to address measles precautions and treatment in Haverhill

NURSE VOZEOLAS STATED THAT MASSACHUSETTS HAS HIGH IMMUNIZATION RATE. THERE ARE STRUCTURED GUIDELINES. STATES FOLLOW STATE LAW IN REGARD TO IMMUNIZATION. TYPES OF EXEMPTIONS-MEDICAL, RELIGIOUS, HOMELESS. SHE REVIEWED PROCEDURES FOR STUDENTS FROM ABROAD. HAVERHILL AT LOW RISK FOR SIGNIFICANT MEASLES OUTBREAK

PLACED ON FILE Yeas 9, Nays 0 59Y

Communication was received from Councillor Sullivan requesting to introduce Christine Rau, Director of *Haverhill's Brightside Program*, to give a summary report for 2019 projects and other accomplishments MS. RAU PRESENTED HER SUMMARY REPORT. COUNCILLORS PRAISED CHRIS FOR HER ACCOMPLISHMENTS AND DEDICATION. LYNDA BROWN WILL BE THE NEW BRIGHTSIDE DIRECTOR EFFECTIVE JULY 1, 2019

PLACED ON FILE Yeas 9, Nays 0 59Z

Communication was received from Councillors Sullivan, Barrett, and Bevilacqua requesting to introduce Ralph Basiliere, Chairman of the Mayor's *Vietnam Veterans Memorial* at Mill Brook Park and to launch a public fundraising campaign to support the project

MR. BASILIERE GAVE AN OVERVIEW OF THE COMMISSION & INTRODUCED FRED CLARK, LANDSCAPE ARCHITECT, WHO DESCRIBED THE RENDERING OF THE VIETNAM VETERANS MEMORIAL AT MILL BROOK PARK. THE PROJECT IS ESTIMATED TO COST \$250,000 AND DONATIONS ARE WELCOME. CHECKS SHOULD BE MADE PAYABLE TO THE CITY OF HAVERHILL WITH INDICATION IN MEMO LINE FOR THE MEMORIAL.*

PLACED ON FILE Yeas 9, Nays 0 79

Communication was received from Councillor Joseph Bevilacqua requesting a discussion regarding the height limit under the Railroad Sq. Bridge

COUNCILLOR BEVILACQUA INFORMED THAT BRIDGEWORK WAS DONE AND THE HEIGHT RESTRICTION SIGN WAS REMOVED AND THAT THEY FAILED TO RETURN IT LETTER TO MBTA AND DEPT. OF PUBLIC WORKS

Yeas 9, Nays 0 79B

Councillor Bevilacqua left the chambers

Communication was received from Councillor Melinda Barrett requesting to discuss creating an ordinance for animals left in cars unattended

COUNCILLOR BARRETT INFORMED THAT THERE IS A STATE LAW REGARDING ANIMALS UNATTENDED IN VEHICLES BUT THE CITY DOES NOT HAVE AN ORDINANCE. REFERRED TO CITY SOLICITOR & PUBLIC SAFETY COMMITTEE

Yeas 8, Nays 0, Absent 1(Bevilacqua) 79C

Communication was received from Councillor Melinda Barrett requesting to discuss the need for safety improvements at the intersection of Kingsbury/Willow/Chadwick

COUNCILLOR BARRETT INFORMED THAT MOTORISTS IGNORE POSTED 35MPH SIGN. COUNCILLOR JORDAN ADDED LINE OF SIGHT PROBLEM FROM WILLOW ONTO KINGSBURY AVE

REFERRED TO TRAFFIC & SAFETY COMMITTEE Yeas 8, Nays 0, Absent 1(Bevilacqua) 79D

Councillor Bevilacqua returned to chambers

16. UNFINISHED BUSINESS OF PRECEDING MEETINGS

17. Council Committee Reports and Announcements

18. Documents Referred to Committee Study

Meeting adjourned 10:26 o'clock P.M. Yeas 8, Nays 0, Absent 1

Attest: Linda Koutoulas
City Clerk

*Doc. 79 – Handout from Ralph Basiliere – fundraising card describing Vietnam Veterans Memorial Project